

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
NORTHERN DIVISION

MOHAMMED EL KARMASSI, Plaintiff, vs. LOT CORPORATION, Defendant.	1:25-CV-01007-ECS ORDER DENYING MOTION TO APPOINT COUNSEL AND NOTICE OF RULE 4(m)
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Plaintiff Mohammed El Karmassi filed a pro se complaint. Doc. 1. This Court denied his motion for leave to proceed in forma pauperis because his financial affidavit did not show that he was sufficiently impoverished to qualify to proceed in forma pauperis. Doc. 7. He has timely paid the full civil complaint filing fee.

I. Motion to Appoint Counsel

El Karmassi moves for the appointment of counsel. Doc. 4. “A pro se litigant has no statutory or constitutional right to have counsel appointed in a civil case.” Stevens v. Redwing, 146 F.3d 538, 546 (8th Cir. 1998). “The court may request an attorney to represent any person unable to afford counsel.” 28 U.S.C. § 1915(e)(1). Because El Karmassi paid his full filing fee, has not been granted leave to proceed in forma pauperis, and has not shown that he is unable to afford counsel, his motion to appoint counsel, Doc. 4, is denied.

II. Notice of Rule 4(m)

Federal Rule of Civil Procedure 4(m) states in pertinent part:

If a defendant is not served within 90 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a

specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.

Fed. R. Civ. P. 4(m). El Karmassi is on notice of this Court's intention to dismiss his complaint without prejudice if he does not provide proof of service upon Defendant by **July 17, 2025**, which is ninety days from the filing of his complaint. If El Karmassi fails to do so, his complaint will be dismissed without prejudice pursuant to Rule 4(m), unless he can show good cause for his failure to serve Defendant.

III. Conclusion

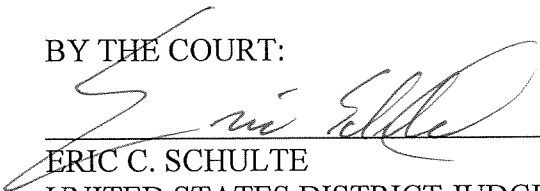
Accordingly, it is

ORDERED that El Karmassi's motion to appoint counsel, Doc. 4, is denied. It is further

ORDERED that El Karmassi will make proper service of the summons and complaint upon Defendant by **July 17, 2025**, or the complaint will be dismissed without prejudice pursuant to Rule 4(m), unless El Karmassi can show good cause for his failure to serve Defendant.

DATED May 21, 2025.

BY THE COURT:



ERIC C. SCHULTE

UNITED STATES DISTRICT JUDGE